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**Anti-terror bill abuses rights, avoids bipartisan approach**

By U.S. Rep. John Conyers Jr. / Special to The Detroit News

The House of Representatives is scheduled to take up a bill purporting to implement the recommendations of the September 11 commission. Unfortunately, the process that was used to assemble the bill does not live up to the commission's fine example.

The commission reached across the partisan divide and came up with a unanimous agreement. Ten members, five Democrats and five Republicans, held countless hearings and issued a well-written report with well-reasoned recommendations.

The commission refused to divert itself with election-year political considerations, declining to cast blame on this administration or its predecessors. The Senate followed the commission's example by taking up a bipartisan bill, authored by Sens. John McCain, Joe Lieberman and Susan Collins.

The Democratic House leader in August asked the speaker to work with Democrats on a bill. Democratic House members drafted a bill and, before introducing it, sent it to the speaker for comment. This attempt to work together was ignored. Recently, the speaker introduced a bill sponsored only by Republicans and drafted only with Republican input.

It is unfortunately the same go-it-alone attitude we have seen from the House Republican leadership. We also saw it on the Patriot Act and the homeland security bill.

The speaker's spokesman all but acknowledged this strategy of division and demonization, stating "the Democrats got spanked hard on homeland security. ... I don't think they want to get spanked again."

Again, confrontation is more highly valued than comity and consensus. The lack of diverse input into the bill's substance is evident in its flaws. Tellingly, a bill that claims to implement the recommendations of the September 11 commission contains dozens of provisions not recommended by the commission.

While we have heard over and over on the campaign trail that terrorism is not a law enforcement matter, this bill creates criminal offenses for terrorism that are minor amendments to existing criminal laws.

For example, rather than providing more resources for homeland security, including safeguarding nuclear materials, the bill simply increases penalties for threats involving weapons of mass destruction. Does throwing the book at al-Qaida after we have already been attacked make us any safer?

It increases the maximum penalty for a false statement in a terrorism case to 10 years from five

years. Does anyone really think another five years in prison will act as a deterrent to a member of al-Qaida?

Combined with the ineffectual is a witch's brew of extraneous anti-liberty proposals, long sought by Attorney General John Ashcroft and long discredited by the Congress.

For example, one section would decimate the due process rights of immigrants, forbidding the federal courts from habeas corpus review of orders for removal.

Another section would place a "keep out" sign on our borders for victims of torture, forcing the victims into the impossible position of proving they would be tortured in the future and closing the courthouse door to any review of decisions sending them back to repressive regimes.

Yet another section and following sections open the door to a national identification card system, the instrument of every despotic regime the world has known.

September 11 was a tragic event, but it was also an event that brought us together. Members of Congress stood shoulder to shoulder on the steps on the Capitol singing "God Bless America." Democrats in Congress united behind the president's efforts in the war on terror. The House Judiciary Committee, on which I serve as the ranking member, worked together to craft a version of the Patriot Act that passed unanimously.

Unfortunately, since then, where some saw an opportunity for national unity, others saw the opportunity for partisan political gain. That's what this bill is - a shameful election-year attempt to smear Democrats by claiming that we care less about protecting the American people than Republicans. The majority leadership owes the American people better than this.

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